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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

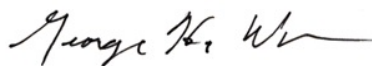
THEODORE EUGENE GARNER,	)	No. ED CV 12-01473-GW(JCG)
	)	
Plaintiff,	)	ORDER (1) ACCEPTING THE FINDINGS
	)	AND RECOMMENDATIONS OF THE UNITED
v.	)	STATES MAGISTRATE JUDGE; (2)
	)	GRANTING IN PART AND DENYING IN
SMITH, et al.,	)	PART DEFENDANT'S MOTION TO
	)	DISMISS; AND (3) DISMISSING THE
Defendants.	)	FIRST AMENDED COMPLAINT
_____	)	

Pursuant to 28 U.S.C. §636, the Court has reviewed the First Amended Complaint and all other papers along with the attached Report and Recommendation of the United States Magistrate Judge, and has made a de novo determination of the Report and Recommendation. Further, the Court has engaged in de novo review of those portions of the Report to which Plaintiff has objected.

**IT IS THEREFORE ORDERED** that a Judgment be entered (1) approving the findings of the United States Magistrate Judge; (2) granting in  
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1 part and denying in part Defendant Smith's Motion to Dismiss the First  
2 Amended Complaint; and (3) dismissing Plaintiff's First Amended  
3 Complaint with prejudice.

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5 DATED: September 7, 2015



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6 GEORGE H. WU  
7 UNITED STATES DISTRICT JUDGE  
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